

East Contra Costa County Habitat Conservation Plan Association

HCPA Coordination Group Meeting

Tuesday, June 18, 2002
1 p.m. to 3 p.m.

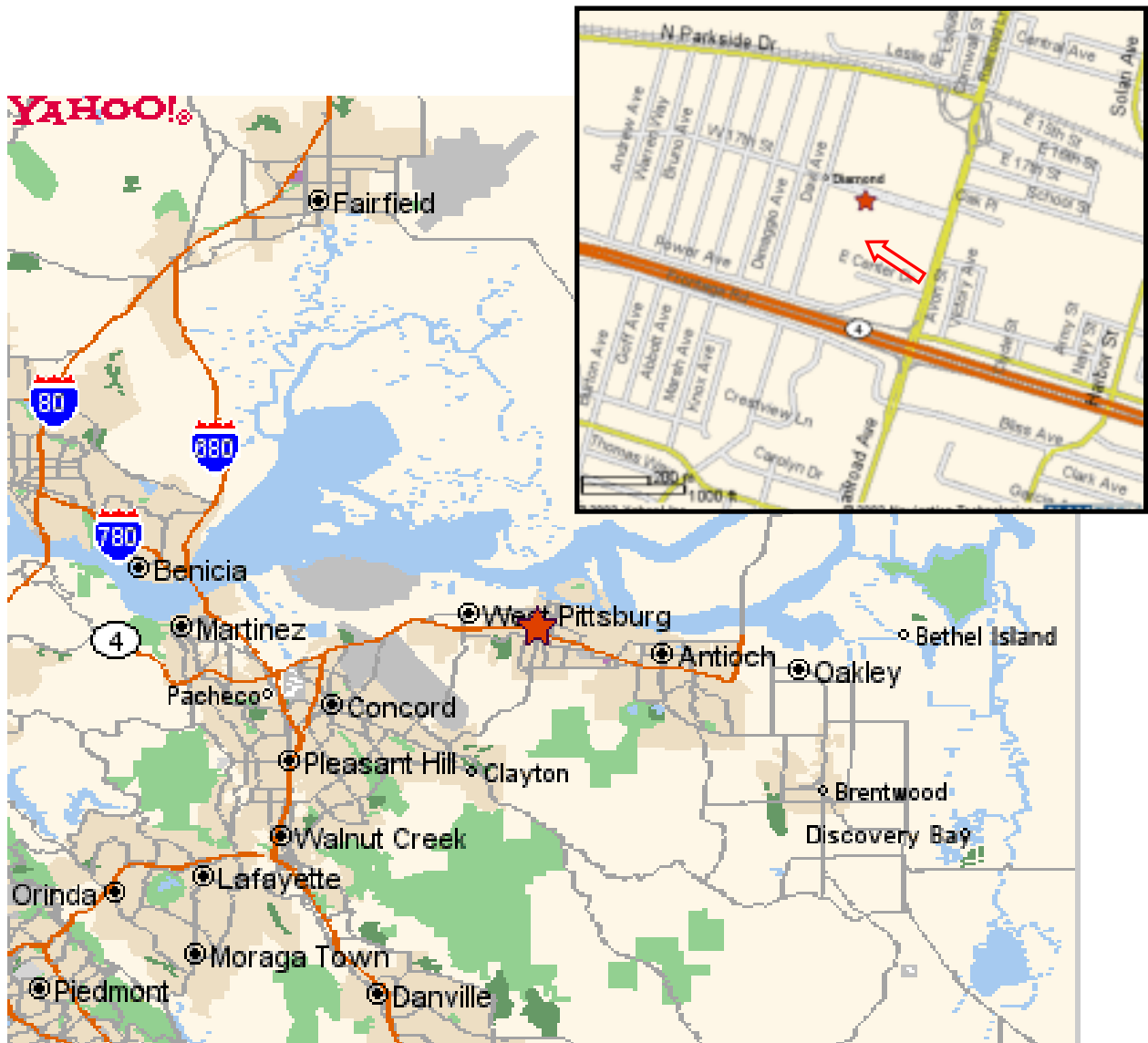
City of Pittsburg Council Chambers
65 Civic Drive in Pittsburg, 3rd Floor
(see map on reverse)

Agenda

- 1:00 Introductions. Review contents of meeting packet.
- 1:05 Review and approve Draft Meeting Record of the May 17, 2002 Coordination Group meeting.
- 1:10 Update on actions taken by the HCPA Executive Governing Committee on May 23
 - Approval of Mission Statement and Coordination Group Operating Procedures
 - Invitation to Byron Municipal Advisory Committee rep. to join Coordination Group
 - Change to HCPA Planning Area to include Clayton Sphere of Influence
- 1:20 Update on first meeting of the Science Advisory Panel held May 29.
- 1:30 Presentation on the proposed approach to wetlands conservation and permitting (Paul Cylinder, Jones and Stokes).
- 2:00 How will the Draft Biological Resources Inventory and other plan components come together to form the HCP? Presentation and Discussion (John Kopchik and David Zippin).
- 2:15 Overview and discussion of Draft Biological Resources Inventory (Chapter 3 of the HCP) (distributed at the 5/17/02 meeting of the Coordination Group).
- 2:45 Continue to review Draft Covered Activities List. Consider developing a recommendation to the Executive Governing Committee on this matter.
- 2:55 Confirm upcoming meeting dates and review upcoming topics. Upcoming meetings are scheduled as follows for the City of Pittsburg Council Chambers:
 - Thursday, July 18, 1 p.m. to 3 p.m.
 - Thursday, August 15, 1 p.m. to 3 p.m.
- 2:55 Public comment.
- 3:00 Adjourn.

Times are approximate. If you have questions about this agenda or desire additional meeting materials, you may contact John Kopchik of the Contra Costa County Community Development Department at 925-335-1227.

Map and Directions to Pittsburg City Hall 65 Civic Drive



Directions from I-680, Central County

- 1) Take Hwy 4 East toward Antioch/Stockton
- 2) Follow Hwy East over the hill (Willow Pass)
- 3) Exit Railroad Ave. (the 2nd exit after the hill)
- 4) At the end of the exit ramp, turn left on Railroad Ave.
- 5) Turn left at the second intersection, East Center Drive (signs for various city offices will also point you this way)
- 6) Immediately bear right into the large parking lot next to City Hall
- 7) Meeting is on the 3rd floor

Directions from Antioch and points east

- 1) Take Hwy 4 West toward Martinez/Richmond
- 2) Exit Railroad Ave.
- 3) At the end of the exit ramp, turn right on Railroad Ave.
- 4) Turn left at the next intersection, East Center Drive (signs for various city offices will also point you this way)
- 5) Immediately bear right into the large parking lot next to City Hall
- 6) Meeting is on the 3rd floor

DRAFT MEETING RECORD

East Contra Costa County Habitat Conservation Plan Association (HCPA) Coordination Group

Friday, May 17, 2002
1 p.m. to 3 p.m.

City of Pittsburg Council Chambers

For review and approval by the Coordination Group on June 18, 2002

- 1:00 Welcome and introductions** Randy Jerome of the City of Pittsburg welcomed participants. Meeting attendees introduced themselves. Coordination Group members in attendance were:

Janice Gan, CA Dept. of Fish & Game
Peter Rauch, CA Native Plant Society
Jim Gwerder, CCC Citizens' Land Alliance
Winston Rhodes, City of Brentwood
Randy Jerome, City of Pittsburg
Junko Peterson, Contra Costa RCD
Sheila Larsen, U.S. Fish & Wildlife Svc.
Suzanne Marr, U.S. Environmental Protection Agency
Mike Monroe, U.S. Environmental Protection Agency

Dave Dolter, The Seeno Companies
Tom Bloomfield, CCC RCD
Bradley Brownlow, Morrison & Foerster
Donna Vingo, CC Citizens' Land Alliance
John Kopchik, CC County Com. Dev.
Seth Adams, Save Mt. Diablo
Elinor Buchen, Greenbelt Alliance

Other attendees included: John Hopkins, Institute for Ecological Health, Erica Fleishman, Stanford University, and David Zippin and Ed West, Jones and Stokes Associates, Inc.

- 1:05 Review and approve Draft Meeting Record of the April 18, 2002 Coordination Group meeting.** Approved without amendment.

- 1:10 Review and approve revised Operating Procedures. Review and recommend revised Draft HCPA Mission Statement to the Executive Governing Committee.** The Operating Procedures, as revised to reflect discussion on April 18, 2002, were approved without amendment. Staff explained that the meeting was being taped as called for in the Operating Procedures. Staff would report on the effectiveness of the taping technology at the next meeting. The Coordination Group discussed the revised Mission Statement at some length and considered a variety of proposed edits. In the end, only one change was approved: combining bullets two and three through the insertion of the word "by". Thus revised, the Mission Statement was recommended to the Executive Governing Committee for approval. While the group did not approve mentioning "wind mills" in the Mission Statement in the bullet related to encouraging multiple use of protected areas, the group did agree that the Mission Statement, as recommended, did not preclude windmills on protected areas.

- 1:15 Presentation on the components of a Natural Community Conservation Plan (David Zippin, Jones and Stokes).** David Zippin delivered a Powerpoint presentation summarizing the requirements of preparing an NCCP, emphasizing the changed requirements caused by the Governor's approval of SB 107 in 2002 and answering questions posed by the group.
- 1:35 Presentation on the HCPA Science Advisory Panel: What is its purpose? How will it function? (The 1st Science Advisory Panel meeting is scheduled for May 29 at 11 am) (Erica Fleishman, Center for Conservation Biology at Stanford University, Science Advisory Panel Facilitator).** Erica Fleishman discussed the HCPA Science Advisory Panel (SAP) and answered questions posed by the group. Coordination Group members suggested that the SAP members be asked to disclose professional ties to land-use issues in the Planning Area. Dr. Fleishman indicated that this was a good idea and that this was an action she and the HCPA staff were planning to take.
- 2:00 Review Draft Covered Species Criteria and Covered Species List. Consider developing a recommendation to the Executive Governing Committee on this matter.** Ed West discussed the rationale behind the Covered Species Criteria and how these criteria were used to develop a preliminary list of 27 Covered Species. Staff explained that they were not seeking a final comment on the Covered Species List by the Coordination Group at this time, but that it would be very helpful to identify comments on the criteria. The Coordination Group did not make any comments on the Criteria or the List, but did ask for more background information on the covered species themselves. Staff explained that a draft Biological Resources Inventory would be distributed at the end of the meeting which contained profiles of each of the 27 species.
- 2:20 Review Draft Covered Activities List. Consider developing a recommendation to the Executive Governing Committee on this matter.** David Zippin briefly introduced the Draft Covered Activities List and explained that it was intended to be comprehensive and likely would be winnowed down. In response to a question about covering agricultural activities, John Kopchik stated the HCPA did not intend to cover such activities unless groups like farmers asked to be covered. The bulk of the discussion was postponed due to lack of time.
- 2:40 Review and comment on Draft Questions for the 1st meeting of the Science Advisory Panel.** The Coordination Group did not offer any comments on the Draft Questions. The Coordination Group will be asked to suggest or comment on future lists of questions for the SAP.
- 2:50 Confirm upcoming meeting dates and review upcoming topics. Upcoming meetings are scheduled as follows for the City of Pittsburg Council Chambers:**
a) Tuesday, June 18, 1 pm to 3 pm b) Thursday, July 18, 1 pm to 3 pm
- 2:55 Public comment.** None.
- 3:00 Adjourn.**

**EAST CONTRA COSTA COUNTY
HABITAT CONSERVATION PLAN ASSOCIATION
EXECUTIVE GOVERNING COMMITTEE
Draft Meeting Record
May 23, 2002**

INTRODUCTION

The East County Habitat Conservation Plan Association (HCPA) Executive Governing Committee (EGC) met on Thursday, May 23, 2002, 5:30 p.m. in the City of Pittsburg City Council Chambers. In attendance were EGC Representatives from Contra Costa County (Supervisor Donna Gerber), City of Clayton (Council member Greg Manning), City of Oakley (Council member Jeff Huffaker), Contra Costa Water District (Director Bette Boatmun), City of Brentwood (Council member Bill Hill), and East Bay Regional Park District (Director Ted Radke).

DISCUSSION

The following is a review of the meeting agenda.

1. Introductions

2. Public Comment

None

3. Approve Meeting Report of February 21, 2002

The meeting report was approved as presented (4-0).

4. Project Status Report by Consultant (David Zippin, Jones and Stokes Associates)

Mr. Zippin reviewed project progress by the consultant. The schedule is being met, major deliverables have been submitted on time, the HCPA Coordination Group has begun meeting and the Science Review Panel has been established. However, the Phase 1 schedule needs to be extended 3 months because of the changes associated with the NCCP Act of 2002 and to allow the HCPA Coordination Group time to come up to speed on the process. The delay is not expected to impact the budget for Phase 1 work, which is 65% spent, and it is hoped that we can make-up for the delay in future phases. The next steps for the project involve development of draft conservation strategies, executing a NCCP Planning Agreement, adjusting project plans to comply with new NCCP requirements, and following-up with agencies to define a wetlands strategy.

5. Updates on Public Outreach and Involvement Program

HCPA Coordination Group

- The HCPA Coordination Group held meetings on April 18 and May 17, 2002 that were both well attended. The Coordination Group has adopted Operating Procedures

that were reviewed and approved by the EGC. HCPA Agency Staff reported that discussions continue with regulatory agencies obtaining a wetlands permit as part of the project. This issue was raised in a May 8, 2002 letter from the Seeno Construction Company. A response letter to the May 8, 2002 letter is being prepared by HCPA Agency Staff and will be provided to the EGC.

- HCPA Agency Staff presented a request from the Byron Municipal Advisory Committee (MAC) to be a member of the HCPA Coordination Group. The EGC approved the request and also directed HCPA Agency Staff to contact the Knightsen Technical Advisory Committee, the Discovery Bay MAC, and the Bay Point MAC so that other groups in the planning area, similar in nature to the Byron MAC, are not excluded from the process. HCPA Agency Staff will report back to the EGC at its next meeting on the outcomes of this outreach and any interest expressed in participating formally in the HCP process.

Other Public Meetings and Workshops: HCPA Agency Staff reported that presentations had been made before the Byron MAC and the Contra Costa Citizen's Land Alliance Annual Land Use Symposium.

Antioch Participation: HCPA Agency Staff was directed to send a letter to the City of Antioch inviting their participation, updating them on the status of grants and other funding, and giving them a date by which a decision about their participation in the project is needed in order to adjust the planning process without significant additional cost. The September meeting of the EGC was suggested as an appropriate date by which a response is requested.

6. Review recommendation of the HCPA Coordination group on the Draft Mission Statement and consider approving a HCPA Mission Statement

The revisions proposed by the Coordination Group were reviewed. The EGC approved the changes and approved the HCPA Mission Statement as recommended.

7. Update on the Science Advisory Panel, including Facilitation, Panel Members and Upcoming Meetings. Review and Consider Approving the Initial List of Questions to the Panel

HCPA Agency Staff updated the EGC on work that had occurred since February to initiate the Science Advisory Panel (SAP). Staff hired Dr. Erica Fleishman of Stanford University to facilitate the panel, an Ms. Fleishman assisted with selecting six panelists to serve. The EGC had approved a budget of \$50,000 for the SAP process in February. Staff indicated that they now expected the cost to be about \$45,000.

Mike Vukelich of the Contra Costa County Farm Bureau expressed concern with the composition of the panel, stating that the panelists were all biologists (no agricultural scientists) and appeared to be mainly academics lacking direct experience in the Planning Area. Staff stated that academic representation had been emphasized because ecological expertise rather than field experience was the chief need and because academic credentials

were important to having a respected panel (though one of the panelists was a private consultant who had worked in the area and also was a leading expert on several covered species). The issue of maintaining balance throughout the HCPA structure and the specific idea of adding an agronomist to the SAP were discussed by the EGC. The EGC also discussed the purpose of the SAP, which is to provide guidance on ecological issues and the conservation of endangered species, scheduling issues, and the need to comply with the independent science requirements of the state NCCP Act. Following this discussion, the EGC determined that the Science Advisory Panel would proceed and if there were concerns later in the process, then additional expertise could be sought (the vote on this action was 4 in favor (County, Cities of Oakley and Clayton, and the Contra Costa Water District) and 1 opposed (City of Brentwood)). The draft questions for the Science Advisory Panel were approved unanimously without discussion.

8. Consider Request by the City of Clayton to Amend the Planning Area for the HCPA to include a Portion of the Clayton Sphere of Influence

HCPA Agency Staff presented the request from Clayton to expand the HCPA planning area to include the Clayton sphere of influence. Staff explained the history of the request, was raised but not resolved just prior to adoption of the HCPA Agreement, and the City of Clayton explained why it was asking for the expansion. Concerns were raised about the cost implications of expanding the planning area, the possibility that this may open the door to other similar requests, the potential controversy surrounding development in a portion of the sphere near the quarry site, and the duration of the HCPA permit as compared to the timing of new development which would presumably have to wait until the quarry closed. The advantages of proposal were also discussed, including the value of integrating the species conservation issues of all member land-planning agencies into the HCPA process. The EGC decided on a 3-2 vote to grant Clayton's request under the condition that Clayton pay half of the additional cost for the change. That cost was estimated to be a maximum of \$11,000. The HCPA will be responsible for the remaining cost (Cities of Brentwood, Clayton, and Oakley in favor; County and Contra Costa Water District opposed).

9. Update on the Fundraising Efforts and Preview the Budget Decisions for the September Meeting

Staff referred to the updated budget information in the packet and reported that efforts continue to secure outside revenue from State and Federal sources. Congresswoman Tauscher and Congressman Miller have been very helpful in this regard and staff was authorized to prepare and send letters expressing appreciation for their support. A more detailed budget discussion will be held in September.

10. Administrative Matters

Consider Appointing a New EGC Secretary: HCPA Agency Staff stated that the current HCPA Secretary, Dennis McCormac is no longer available to perform the duties of Secretary for the HCPA. Mr. Kopchik pointed out that the new Secretary should be someone that is

accessible by County Staff to ease the process for getting documents signed. The EGC approved unanimously to appoint Supervisor Gerber as the HCPA Secretary.

Consider Transferring the duties of the HCPA Treasurer/Controller to the Contra Costa County, as set forth in the HCPA Agreement: This item was approved unanimously without discussion.

Ratify invoices submitted by Jones and Stokes, Contra Costa County, and Erica Fleishman and paid by the HCPA Treasurer: This item was approved unanimously without discussion.

11. Future Executive Committee Items

There was no discussion on this item.

12. Select Next Meeting Dates

The next meeting date was tentatively set for September 19, 2002.

13. Adjournment at 7:00 p.m.

Parallel Section 10 ESA and Section 404 CWA Compliance for the East Contra Costa County HCP/NCCP

